

Standard opinion: EPA's fantasy math sends clear message on Butte cleanup
Montana Standard

The Environmental Protection Agency under President Trump and Administrator Scott Pruitt has found a new way to protect human health and the environment.

The agency is fighting real pollution with alternative facts, phantom resources and fantasy mathematics.

First came Pruitt's ridiculous "commitment" to clean up the Berkeley Pit, proclaimed by Sen. Steve Daines on the eve of Pruitt's confirmation by the Senate.

Next, Administrator Pruitt wrote in a May memorandum that he wanted to "prioritize" Superfund cleanups, making sure they are "restored to their rightful place at the center of the agency's core mission."

If Superfund is so central, it seems counterproductive that the agency's budget cuts more than \$300 million from the program. Which represents almost exactly the same percentage of cut – more than 30 percent – that the rest of the agency is facing.

Pruitt, faced with questions about this, has since said it's "not a matter of money," but rather "a matter of leadership and attitude and management."

In last month's memo, Pruitt decreed that "authority previously delegated to ... the Regional Administrators to select remedies estimated at \$50 million or more ... shall be retained by the Administrator."

Those in Butte who watch Superfund matters closely were already trying not to be nervous about the fact that retirement packages are being offered to a startling number of workers, and the fact that no permanent Region 8 Administrator has been named by Pruitt. Then, he suddenly appeared to make that appointment moot for Butte with the decision to grab power over major Superfund remedies.

So we asked EPA just what it means that the Administrator's office would be making decisions on remedies for this, the largest Superfund site complex in the nation.

Predictably, regional officials punted the information request ... to headquarters in Washington.

The response, when it finally came back, was a jaw-dropper.

As Natural Resources reporter Susan Dunlap reports in today's edition of The Montana Standard, the EPA let us know that Butte doesn't have to worry about what the Administrator will do here.

The reason? There are no remedies yet to come for Butte that will exceed \$50 million.

To appreciate the truly astonishing nature of this pronouncement, let us first consider just one operable unit – Butte Priority Soils.

The ultimate, overall remedy for this unit is still a matter of negotiation. EPA, ARCO, the state and Butte-Silver Bow have been locked in consent-decree talks for years. EPA Montana Superfund Manager Joe

Vranka has said the agency has already overseen some \$250 million in work within the operable unit. The remedy now operating – a subdrain and a waste-in-place philosophy – calls for the polluted water collected by the subdrain to be “treated in perpetuity.”

We’re not sure how long “perpetuity” is but it’s probably long enough to ring up another \$50 million in costs.

And that doesn’t take into consideration the fact that a growing, vocal group of Butte residents believes “waste in place” is not the answer for BPSOU – that waste in the Silver Bow Creek watershed including Northside Tailings, the Diggings East and the Blacktail Berm (in addition to the Parrot Tailings still scheduled to be removed unilaterally by the state) needs to be removed, not capped. It does not take into account the research that has been done since the Record of Decision in the unit was signed – research that shows pollution in the streambed, pollution migrating in groundwater, and pollution near Butte Reduction Works and the slag wall canyon.

\$50 million wouldn’t touch that, and we all know it.

The fantasy mathematics extends to the “Westside Soils” operable unit (which includes much of the Flat). What it will take to clean up that operable unit has not even been calculated. Adding to the issue is that much of the pollution in Westside Soils is from abandoned mine sites that may not be tied to ARCO – therefore making it doubtful that a legally responsible party can be found and leaving EPA on the hook for the cleanup.

\$50 million? Laughable.

Most concerning about this fantasy math is that it sends a clear message from EPA to Butte: We’re almost done here, folks, we’re going to ignore the cleanup you really deserve, and we just can’t wait to hit the road.

With some 1,300 Superfund sites around the country, taking a third of the program’s resources away, offering buyouts to more than a thousand workers and lowballing the government’s obligations going forward represents a facile dereliction of duty.

Somehow the gabble about leadership and attitude and management makes it all the more repugnant.